



PATENT
Attorney Docket No. 10260.0006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
)
Harald BREIVIK et al.) Group Art Unit: 1632
)
Application No.: 10/517,812) Examiner: Deborah D. CARR
)
Filed: December 14, 2004)
)
For: A PROCESS FOR DECREASING) Confirmation No.: 8613
ENVIRONMENTAL POLLUTANTS)
IN AN OIL OR FAT, A VOLATILE)
ENVIRONMENTAL POLLUTANTS)
DECREASING WORKING FLUID,)
A HEALTH SUPPLEMENT, AND)
AN ANIMAL FEED PRODUCT)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicants bring to the attention of the Examiner the listed documents on the attached PTO SB/08 Form. This Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits for the above-referenced application.

Copies of the listed foreign and non-patent literature documents are attached.
Copies of the U.S. patent publications are not enclosed.

Applicants respectfully request that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

In lieu of a statement of relevance or translation of the non-English documents, an English language abstract is provided for the documents listed in the Table below.

DE 3839017 A1	DATABASE WPI: Week 199022, Derwent Publications Ltd., DE 3839017.
JP 6-293895	DATABASE WPI: Week , Derwent Publications Ltd., JP 6-293895.
JP 6-116585	DATABASE WPI: Week 199421, Derwent Publications Ltd., JP 6116585.
JP 2-25447	DATABASE WPI: Week 198422, Derwent Publications Ltd., JP 19900025447.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and Applicants determine that the cited documents do not constitute "prior art" under United States law, Applicants reserve the right to present to the U.S. Patent and Trademark Office the relevant facts and law regarding the appropriate status of such documents.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to Deposit Account 06-0916.

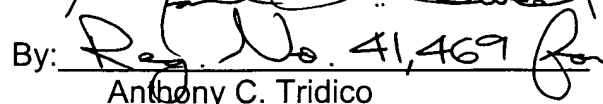
Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.



Dated: March 12, 2007

By:



Anthony C. Tridico

Reg. No. 45,958

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet	1	of	5	Application Number	10/517,812
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Filing Date	December 14, 2004
First Named Inventor	Harald BREIVIK et al.
Art Unit	1621
Examiner Name	Deborah CARR
Attorney Docket Number	10260.0006

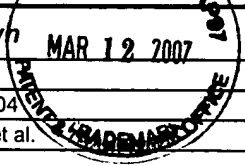
U.S. PATENTS AND PUBLISHED U.S. PATENT APPLICATIONS

Examiner Initials	Cite No. ¹	Document Number	Issue or Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
	1.	US-2007/0036862 A1	02-15-2007	Rongen et al.	
	2.	US-2006/0211762 A1	09-21-2006	Rongen et al.	
	3.	US-2006/0166935 A1	07-27-2006	Bryhn	
	4.	US-2006/0148047 A1	07-06-2006	Haraldsson et al.	
	5.	US-2006/0134303 A1	06-22-2006	Sondbo et al.	
	6.	US-2005/0171200 A1	08-04-2005	Calder et al.	
	7.	US-2003/0212138 A1	11-13-2003	Obukowicz	
	8.	US-2003/0077342 A1	04-24-2003	Maffetone	
	9.	US-6,518,049 B1	02-11-2003	Haraldsson et al.	
	10.	US-2002/0077361 A1	06-20-2002	Peet et al.	
	11.	US-6,277,405 B1	08-21-2001	Stamm et al.	
	12.	US-6,204,401 B1	03-20-2001	Perrut et al.	
	13.	US-5,945,318	08-31-1999	Breivik et al.	
	14.	US-5,719,302	02-17-1998	Perrut et al.	
	15.	US-5,698,594	12-16-1997	Breivik et al.	
	16.	US-5,656,667	08-12-1997	Breivik et al.	
	17.	US-5,502,077	03-26-1996	Breivik et al.	
	18.	US-5,480,787	01-02-1996	Negishi et al.	
	19.	US-5,436,018	07-25-1995	Massie et al.	
	20.	US-5,316,927	05-31-1994	Zaks et al.	
	21.	US-5,130,061	07-14-1992	Cornieri et al.	
	22.	US-5,130,449	07-14-1992	Lagarde et al.	
	23.	US-5,091,117	02-25-1992	Athnasios et al.	
	24.	US-5,013,443	05-07-1991	Higashidate et al.	
	25.	US-4,996,072	02-26-1991	Marschner et al.	
	26.	US-4,956,286	09-11-1990	Macrae	
	27.	US-4,956,287	09-11-1990	Suzuki et al.	

Note: Submission of copies of U.S. Patents and published U.S. Patent Applications is not required.

Examiner Signature		Date Considered	
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

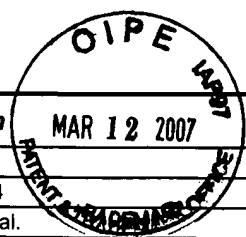
IDS Form PTO/SB/08: Substitute for form 1449A/PTO				Complete if Known 	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)				Application Number	10/517,812
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Sheet	2	of	5	Attorney Docket Number	10260.0006

FOREIGN PATENT DOCUMENTS						
Exami ner Initials [*]	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD- YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	Translati on ⁶
		Country Code ³ Number ⁴ Kind Code ⁵ (if known)				
	28.	DE 3839017 A1	05-23-1990	Henkel KGaA		Abst.
	29.	EP 1 419 780 A1	05-19-2004	Martek Biosciences Corp.		
	30.	GB 2 221 843 A	02-21-1990	Norsk Hydro A.S.		
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	32.	JP 6-293895	10-21-1994	Shokuhin Sangyo High		Abst.
	33.	JP 6-116585	04-26-1994	Kanegafuchi Chem. Ind. Co. Ltd.		Abst.
	34.	JP 2-25447	01-26-1990	Nippon Oil & Fats Co. Ltd.		Abst.
	35.	WO 98/18952 A1	05-07-1998	Nippon Suisan Kaisha, Ltd.		Abst. included
	36.	WO 95/24459 A1	09-14-1995	Norsk Hydro A.S.		
	37.	WO 91/16443 A1	10-31-1991	Novo Nordisk A.S.		
	38.	WO 90/13656 A1	11-15-1990	Enzytech, Inc.		

NONPATENT LITERATURE DOCUMENTS			
Examiner Initials [*]	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	Translation ⁶
	39.	ABE, Y. et al. "Soluble Cell Adhesion Molecules in Hypertriglyceridemia and Potential Significance on Monocyte Adhesion," <i>Arteriosclerosis, Thrombosis, and Vascular Biology</i> (1998), 18(5), 723-731.	
	40.	ABHYANKAR, B. "Further reduction in mortality following myocardial infarction," <i>J. Hospital Medicine</i> (2002), 63(10), 610-614.	
	41.	ADACHI, S. et al. "Acidolysis of Sardine Oil by Lipase to Concentrate Eicosapentaenoic and Docosahexaenoic Acids in Glycerides," <i>J. Ferment. Bioeng.</i> (1993), 75(4), 259-264.	
	42.	BIMBO, A. P. "Guidelines for characterizing food-grade fish oil," <i>Inform</i> (1998), 9(5), 473-483.	
	43.	BØNAA, K. H. et al. "Effect of Eicosapentaenoic and Docosahexaenoic Acids on Blood	

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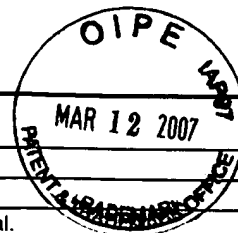
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Sheet	3	of	5		

NONPATENT LITERATURE DOCUMENTS				
		Pressure in Hypertension," <i>New England J. of Medicine</i> (1990), 322, 795-801.		
	44.	BREIVIK, H. et al. "Preparation of Highly Purified Concentrates of Eicosapentaenoic Acid and Docosahexaenoic Acid," <i>JAOCS</i> (1997), 74(11), 1425-1429.		
	45.	BRYHN, M. et al. "The bioavailability and pharmacodynamics of different concentrations of omega-3 acid ethyl esters," <i>Prostaglandins, Leukotrienes and Essential Fatty Acids</i> (2006), 75, 19-24.		
	46.	CALABRESI, L. et al. "Omacor in familial combined hyperlipidemia: effects on lipids and low density lipoprotein subclasses," <i>Atherosclerosis</i> (2000), 148(2), 387-396.		
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	53.	DIEP, Q. N. et al "Docosahexaenoic Acid, a Peroxisome Proliferator-Activated Receptor- α Ligand, Induces Apoptosis in Vascular Smooth Muscle Cells by Stimulation of p38 Mitogen-Activated Protein Kinase," <i>Hypertension</i> (2000), 36, 851-855.		
	54.	DONADIO, J. V. "Use of fish oil to treat patients with immunoglobulin A nephropathy," <i>Am. J. Clin. Nutr.</i> (2000), 71(Suppl), 373S-375S.		
	55.	DONADIO, J. V. et al. "A Randomized Trial of High-Dose Compared with Low-Dose Omega-3 Fatty Acids in Severe IgA Nephropathy," <i>J. Am. Soc. Nephrol.</i> (2001), 12(4), 791-799.		
	56.	DURRINGTON, P. N. et al. "An omega-3 polyunsaturated fatty acid concentrate administered for one year decreased triglycerides in simvastatin treated patients with coronary heart disease and persisting hypertriglyceridaemia," <i>Heart</i> (2001), 85(5), 544-548.		
	57.	EPAX marketing information (7 pages)		
	58.	OMEGA-3-Acid Ethyl Esters 90, European Pharmacopoeia 5.3 (2006) 3571-3573.		
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	61.	GISSI-PREVENZIONE INVESTIGATORS "Dietary supplementation with n-3 polyunsaturated fatty acids and vitamin E after myocardial infarction: results of the GISSI-Prevenzione trial," <i>Lancet</i> (1999), 354, 447-455.		
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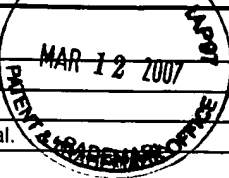


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63.	HARALDSSON, G. G. et al. "Separation of Eicosapentaenoic Acid and Docosahexaenoic Acid in Fish Oil by Kinetic Resolution Using Lipase," <i>J. of Am. Oil Chem. Soc.</i> (1998), 75(11), 1551-1556.		
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65.	HARRIS , W. S. et al. "Safety and efficacy of Omacor in sever hypertriglyceridemia," <i>Journal of Cardiovascular Risk</i> (1997), 4(5-6), 385-391.		
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68.	Information from http://www.epax.com (6 pages).		
69.	Information from http://www.omacor.com (25 pages).		
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75.	LIE, E. et al. "Esterification of polyunsaturated fatty acids with lipases from different sources," <i>International J. of Food Science and Technology</i> (1992), 27, 73-76.		
76.	LIM, G. P. et al. "A Diet Enriched with the Omega-3 Fatty Acid Docosahexaenoic Acid Reduces Amyloid Burden in an Aged Alzheimer Mouse Model," <i>J. Neuroscience</i> (2005), 25(12), 3032-3040.		
77.	LULEY C. et al. "Bioavailability of Omega-3 Fatty Acids: Ethylester Preparation are as Suitable as Triglyceride Preparations," <i>Nutrition Lances</i> (1990), 15, 123-125.		
78.	LUNGERSHAUSEN, Y. K. et al. "Reduction of blood pressure and plasma triglycerides by omega-3 fatty acids in treated hypertensives," <i>Journal of Hypertension</i> (1994), 12(9), 1041-1045.		
79.	MARCHIOLI, R. et al "Early Protection Against Sudden Death by n-3 Polyunsaturated		

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NONPATENT LITERATURE DOCUMENTS			
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	81.	MOORE, S. R. et al. "Production of Triglycerides Enriched in Long-Chain n-3 Polyunsaturated Fatty Acids from Fish Oil," <i>JAOCS</i> (1996), 73(11), 1409-1414.	
	82.	NORDØY, A. "Statins and omega-3 fatty acids in the treatment of dyslipidemia and coronary heart disease," <i>Minerva medica</i> (2002), 93(5), 357-363.	
	83.	Omacor prescribing information from the FDA website: www.fda.gov/cder/foi/label/2004/21654lbl.pdf (9 pages).	
	84.	Omacor prescribing information (1 page).	
	85.	POWNALL, H. J. et al. "Correlation of serum triglyceride and its reduction by ω -3 fatty acids with lipid transfer activity and the neutral lipid compositions of high-density and low-density lipoproteins," <i>Atherosclerosis</i> (1999), 143(2), 285-297.	
	86.	Product specifications for EPAX 1050TG	
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	89.	Product specifications for EPAX 4510TG	
	90.	Product specifications for EPAX 5500EE	
	91.	Product specifications for EPAX 6000EE	
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	93.	Product specifications for EPAX 6015EE	
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	95.	SHIBATA, T. et al. "Effects of peroxisome proliferator-activated receptor- α and - γ agonist, JTT-501, on diabetic complications in Zucker diabetic fatty rats," <i>British J. of Pharmacol.</i> (2000), 130, 495-504.	
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	97.	STALENHOEF, A. F. H. et al. "The effect of concentrated n-3 fatty acids versus gemfibrozil on plasma lipoproteins, low density lipoprotein heterogeneity and oxidizability in patients with hypertriglyceridemia," <i>Atherosclerosis</i> (2000), 153(1), 129-138.	
	98.	Third Party Observation from corresponding European application no. 03764048.9 - 2108 dated September 26, 2006.	

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